

Introduced by Senator Maldonado

February 22, 2005

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An act to amend Section ~~15201~~ 15202 of the Government Code, relating to homicide trial costs.

LEGISLATIVE COUNSEL'S DIGEST

SB 827, as amended, Maldonado. ~~Homicide-County~~ trial costs: *state reimbursement.*

Existing law, ~~with respect to the reimbursement of counties by the Controller for certain costs of homicide trials, defines the term "costs incurred by the county," provides for a formula and other conditions for the Controller to determine the reimbursement of the costs of homicide trials incurred by applicant counties.~~

This bill would ~~make a technical, nonsubstantive change in that definition~~ also permit counties to apply to the Controller for reimbursement of costs incurred for trials of high profile sex offense cases.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1    ~~SECTION 1. Section 15201 of the Government Code is~~
- 2    ~~amended to read:~~
- 3    *SECTION 1. Section 15202 of the Government Code is*
- 4    *amended to read:*
- 5    15202. (a) A county ~~which~~ *that* is responsible for the cost of
- 6    a trial or trials or any hearing of a person for the offense of
- 7    homicide *or a high profile sex offense case* may apply to the

1 Controller for reimbursement of the costs incurred by the county  
2 in excess of the amount of money derived by the county from a  
3 tax of 0.0125 of 1 percent of the full value of property assessed  
4 for purposes of taxation within the county.

5 The

6 (b) Controller shall not reimburse any county for costs that  
7 exceed the State Board of Control's standards for travel and per  
8 diem expenses. The Controller may reimburse extraordinary  
9 costs in unusual cases if the county provides sufficient  
10 justification of the need for these expenditures. Nothing in this  
11 section shall permit the reimbursement of costs for travel in  
12 excess of 1,000 miles on any single round trip, without the prior  
13 approval of the Attorney General.

14 ~~This section shall become operative on January 1, 2005.~~

15 ~~15201. As used in this chapter, "costs incurred by the county"~~  
16 ~~means all costs, except normal salaries and expenses, incurred by~~  
17 ~~the county in bringing to trial or trials, including the trial or trials~~  
18 ~~of, a person or persons for the offense of homicide, including~~  
19 ~~costs, except normal salaries and expenses, incurred by the~~  
20 ~~district attorney in investigation and prosecution, by the sheriff in~~  
21 ~~investigation, by the public defender or court-appointed attorney~~  
22 ~~or attorneys in investigation and defense, and all other costs,~~  
23 ~~except normal salaries and expenses, incurred by the county in~~  
24 ~~connection with bringing the person or persons to trial including~~  
25 ~~the trial itself, which includes extraordinary expenses for services~~  
26 ~~such as witness fees and expenses, court-appointed expert~~  
27 ~~witnesses, reporter fees, and costs in preparing transcripts. Trial~~  
28 ~~costs shall also include all pretrials, hearings, and postconviction~~  
29 ~~proceedings, if any. "Costs incurred by the county" do not~~  
30 ~~include any costs paid by the superior court or for which the~~  
31 ~~superior court is responsible.~~